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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Written statement submitted by the Federation for Women and Family Planning (Warsaw, Poland) and the International Planned Parenthood Federation, a non-governmental organization in general consultative status

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1988/4.

[8 April 1998]

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Introduction

1. The political and economic transformation in Poland that started in 1989 brought about democratic changes. However, it also brought about some negative effects with regard to the status of women. Women bear the main costs of economic and political transformation. In the 1990s the representation of women in decision-making positions decreased significantly, disproportionately to their high education.

2. We recommend:

(a) Reintroducing government machinery promoting gender equality in accordance with the CEDAW Convention on the Elimination of All Forms of Discrimination against Women ratified by the Polish Government and with commitments made in Beijing in 1995;

(b) Implementing the National Action Plan on Women adopted by the Government on 29 April 1997.

Article 7 - Right to just and favourable conditions of work

3. Unemployment. Unemployment affects women to a greater extent than men and is constantly growing. Women experience more difficulties than men at different stages of their professional life: when starting a career, holding onto a job and re-entering the labour market. It is difficult to find a new job as a result of discrimination against women practised by employers who often consider a woman's age and family situation along with, or instead of, her skills when judging her work-related attributes. Job advertisements designated by sex are not forbidden.

4. Direct discrimination of pregnant women in the labour market. A woman seeking a job is often asked to take a medical check-up, including a pregnancy test.

5. Education of employed women. Among the employed, women are much more educated than men: 66 per cent of employed women and only 39 per cent of employed men have a mid-level or higher education.

6. Slow integration into private sector activities. The proportion of women working in the private sector is smaller than that of men. For the majority of women, especially less educated, older and rural women, integration into the private sector is more difficult and the number of new jobs is limited.

7. Sectoral segregation of women's jobs. The sectoral employment pattern has not changed over the last few years. As in the past, female employment is concentrated in the service sector and in light industries. Many women working in agriculture are unpaid family workers.

8. Persistent wage gap. Women's salaries constitute on average 70 per cent of male salaries and this tendency has not changed over time: the male salary in 1996 was 26.2 per cent higher than the female salary. Indirect

discrimination against women with respect to income has been partly a result of the fact that "feminized sectors" tended to be less well paid.

9. We recommend:

(a) Eliminating discriminatory practices by employers such as medical check-ups of women applying for a job in order to eliminate pregnant women;

(b) Making illegal job ads by sex;

(c) Enforcing legislation to guarantee the rights of women and men to equal pay for equal work or work of equal value.

Article 10 - Protection of the family

10. Effects of legal restrictions on abortion. In 1993 the Polish Parliament introduced the anti-abortion law according to which abortions on social grounds were made illegal. This dramatic change seriously affected many women and families, particularly the poor and uneducated ones. The law did not stop abortions; it pushed women to backstreet abortions or travel abroad. Abortion on social grounds had been legal since 1956 and it was broadly utilized owing to poor family planning policies. This restrictive law was introduced almost without any transitional period, without any mechanisms that would allow women to more easily adapt to the changes. The State did not introduce simultaneously any policies that would promote and subsidize any family planning programmes.

11. Up-to-date legal status of abortion. The anti-abortion law was liberalized in 1996 and got restrictive again in 1997. The provision regarding abortion on social grounds was withdrawn.

12. Allowances for pregnant women. The 1993 law obliged the Government to introduce special allowances for the poorest pregnant women. However, although the real value of this allowance was rather symbolic, it soon turned out that the State was not able to provide the allowance to all women in need who were entitled to it. The State compensated those women in 1994, but the amount of this allowance was reduced even more. Many women, however, who were in a really difficult situation could not meet the necessary requirements and did not receive any support. For example, a pregnant woman living together with her parents was not entitled as her parents were supposed to support her. Also, a pregnant woman who has not been employed is ineligible for support. Young women with an unstable professional situation could also not count on this support.

13. Teenage pregnancies. After 1993 the number of teenage pregnancies grew significantly: in 1994 the number of births by mothers under 19 constituted over 8 per cent of all births.

14. We recommend:

(a) Introducing abortion regulations allowing women in crisis to make their own reproductive decisions;

(b) Strengthening and broadening financial support to pregnant women in difficult situations;

(c) Promoting preventive measures, including family planning and sex education programmes.

Article 12 - Right to health

15. Health status of women. The reproductive health of women is poor in Poland. Women's morbidity and mortality rates due to problems of the reproductive system are high and systematically growing. The 1994 Report on the Demographic Situation of Poland (Government Population Commission) anticipates that if health-care services do not improve with regard to diagnosis, therapy and prevention of cancer, deaths of women from cancer may increase by about 40 per cent by the year 2010.

16. Medical services. Screening services and prevention services for women's diseases such as breast and cervical cancers are lacking. As a result, cancers, particularly breast cancer, often reach an advanced stage before being detected. Even a pap smear is not available to almost 15 per cent of women. Mammography is not available to 53 per cent of women in Poland. Medical services are particularly inadequate in the countryside. The health-care system is not addressing to a sufficient degree the health problems of girls as well as the health problems of older women of post-reproductive age.

17. Family planning. While abortion remains illegal, family planning services do not receive an adequate proportion of government health spending. Family planning services generally are not provided in the public health-care system. Women do not have adequate access to contraception. Sterilization is illegal. The subsidies for five contraceptives introduced in 1997 by the former Government were withdrawn by the new Government in March 1998.

18. Pregnant women with health problems. Pregnant women whose pregnancy constitutes a health danger face problems in receiving necessary termination procedures. It has been quite common that they have been forced to give birth.

19. Violence against women. Violence against women is one of the most painful problems in Poland, but still inadequately recognized and addressed. There are no systematic data on violence. There are neither preventive measures nor sufficient mechanisms of support for victims of violence. There is an insufficient number of shelters and other supportive institutions. The Government Programme against Domestic Violence was launched by the former Government Minister for the Family and Women's Affairs in 1997. The new Minister for Family Affairs has suspended its implementation without any substantive reason.

20. The sex industry. It is recognized that prostitution and sex workers are increasing significantly, including among adolescents. Female sex workers are stigmatized, discriminated against, treated as criminals and often blamed for sexually transmitted diseases, including AIDS. The problem of trafficking in women in the region of Eastern and Central Europe has been recognized by the United Nations. The Special Rapporteur on violence against women, Ms. Radhika Coomeraswamy, issued a report on the issue of trafficking and

forced prostitution of women, according to which trafficking in the ECE region reached epidemic proportions in the beginning of the 1990s. The growth of trafficking in extremely young women has also been recognized. Many victims were between the ages of 15 and 18. Being a sending country, a country of destination and a transit country at the same time has made Poland highly visible in international trafficking.

21. We recommend:

(a) Making reproductive health a priority of governmental health programmes and policies;

(b) Strengthening preventive policies in health care;

(c) Promoting family planning programmes; legalizing sterilization as a method of family planning;

(d) Implementing government programmes against domestic violence and the trafficking in women.

Article 13 - Right to education

22. Gender stereotypes. The educational system in many ways perpetuates gender stereotypes, promoting the family roles of women as the primary ones. During primary education children become familiar with the place of women and men in society. Teachers, often completely unaware of this fact, use manuals that perpetuate a patriarchal model of the family and the world.

23. Inequality of educational opportunities. Girls and boys experience some inequalities at the high school and university levels. Women are not encouraged to follow technical interests and education. Girls have fewer options at high school level. Many vocational schools for women have been closed in recent years. Some technical schools do not accept girls. As a result, more girls than boys attend schools that do not prepare them for any particular profession.

24. Sex education. The Government was obliged to introduce sex education to public schools curricula in 1997, but later attempted to withdraw the programme. Although this attempt was unsuccessful, current policy shows that the Government does not fulfil this task in accordance with the best international standards and practices. The curricula and manuals present mainly the approach of the Catholic Church towards human sexuality, gender issues and contraception.

25. We recommend:

(a) Elaborating and developing curricula, textbooks and teaching aids free of gender-based stereotypes for all levels of education, including teacher training;

(b) Introducing a gender-sensitive sex education curriculum in schools, based on the best standards.